

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL GREENE,

Petitioner,

v.

WARDEN, *et al.*,

Respondents.

No. 4:19-CV-00024

(Judge Brann)

**MEMORANDUM OPINION**

**JANUARY 11, 2021**

Petitioner filed this amended petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, seeking to challenge his convictions of aggravated and simple assault.<sup>1</sup> After the amended petition was filed, Petitioner was apparently released from his incarceration on those convictions.<sup>2</sup> Because Petitioner is no longer in custody, it appeared to the Court that his habeas petition should be dismissed as moot because it no longer presents a case or controversy for which this Court could provide relief.<sup>3</sup>

On June 8, 2020, the Court issued an order to show cause why the amended petition should not be dismissed as moot, because Petitioner has been released

---

<sup>1</sup> See Doc. 25.

<sup>2</sup> See Doc. 41.

<sup>3</sup> See, e.g., *Spencer v. Kemna*, 523 U.S. 1, 18 (1998) (affirming dismissal of § 2254 petition as moot).

from custody.<sup>4</sup> Petitioner has failed to show cause or otherwise respond to that order, and the time for doing so has passed. As such, the Court will dismiss the amended petition as moot.

A separate order follows.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann  
United States District Judge

---

<sup>4</sup> See Doc. 42.